

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re

Lordstown Motors Corp., *et al.*,¹

Debtors.

Chapter 11

Case No. 23-10831 (MFW)

(Jointly Administered)

Re: D.I. 87

**CERTIFICATION OF NO OBJECTION REGARDING “DEBTORS’
APPLICATION FOR ENTRY OF AN ORDER AUTHORIZING THE
EMPLOYMENT AND RETENTION OF WHITE & CASE LLP AS ATTORNEYS
TO THE DEBTORS EFFECTIVE AS OF THE PETITION DATE” [D.I. 87]**

The undersigned hereby certifies that, as of the date hereof, he has received no answer, objection, or any other responsive pleading to the *Debtors’ Application for Entry of an Order Authorizing the Employment and Retention of White & Case LLP as Attorneys to the Debtors Effective as of the Petition Date* [D.I. 87] (the “**Application**”) filed by the debtors and debtors in possession in the above-captioned cases (collectively, the “**Debtors**”) with the United States Bankruptcy Court for the District of Delaware (the “**Court**”) on July 6, 2023.

The undersigned further certifies that he has reviewed the Court’s docket in these cases and no answer, objection, or other responsive pleading to the Application appears thereon. Pursuant to the *Notice of Application and Hearing* filed contemporaneously with the Application, responses to the Application were to be filed no later than 4:00 p.m. (Eastern

¹ The Debtors and the last four digits of their respective taxpayer identification numbers are: Lordstown Motors Corp. (3239); Lordstown EV Corporation (2250); and Lordstown EV Sales LLC (9101). The Debtors’ service address is 27000 Hills Tech Ct., Farmington Hills, MI 48331.

Daylight Time) on July 20, 2023 (the “**Objection Deadline**”²). The Debtors therefore respectfully request that the proposed form of order attached hereto as **Exhibit A**, which is materially in the same form filed with the Application, be entered at the earliest convenience of the Court.

[Remainder of page intentionally left blank.]

² The Debtors agreed to extend the Objection Deadline for the Official Committee of Unsecured Creditors (the “**Creditors’ Committee**”) only until 11:00 a.m. (Eastern Daylight Time) on July 24, 2023. The Creditors’ Committee did not file an objection to the Application by the Objection Deadline, as extended for it.

Dated: July 24, 2023

Respectfully submitted,

/s/ Jason M. Madron

RICHARDS, LAYTON & FINGER, P.A.

Kevin Gross (No. 209)
Daniel J. DeFranceschi (No. 2732)
Paul N. Heath (No. 3704)
Amanda R. Steele (No. 5530)
Jason M. Madron (No. 4431)
James F. McCauley (No. 6991)
One Rodney Square
920 N. King Street
Wilmington, DE 19801
Telephone: (302) 651-7700
Facsimile: (302) 651-7701
gross@rlf.com
defranceschi@rlf.com
heath@rlf.com
steele@rlf.com
madron@rlf.com
mccauley@rlf.com

WHITE & CASE LLP

Thomas E Lauria (admitted *pro hac vice*)
Matthew C. Brown (admitted *pro hac vice*)
Fan B. He (admitted *pro hac vice*)
200 South Biscayne Boulevard, Suite 4900
Miami, FL 33131
Telephone: (305) 371-2700
tlauria@whitecase.com
mbrown@whitecase.com
fhe@whitecase.com

David M. Turetsky (admitted *pro hac vice*)
1221 Avenue of the Americas
New York, NY 10020
Telephone: (212) 819-8200
david.turetsky@whitecase.com
Jason N. Zakia (admitted *pro hac vice*)
111 South Wacker Drive, Suite 5100
Chicago, IL 60606
Telephone: (312) 881-5400
jzakia@whitecase.com

Roberto Kampfner (admitted *pro hac vice*)
Doah Kim (admitted *pro hac vice*)
RJ Szuba (admitted *pro hac vice*)
555 South Flower Street, Suite 2700
Los Angeles, CA 90071
Telephone: (213) 620-7700
rkampfner@whitecase.com
doah.kim@whitecase.com
rj.szuba@whitecase.com

*Proposed Co-Counsel to Debtors and
Debtors in Possession*

Exhibit A

Proposed Order

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re

Lordstown Motors Corp., *et al.*,¹

Debtors.

Chapter 11

Case No. 23-10831 (MWF)

(Jointly Administered)

Re: D.I. 87

**ORDER AUTHORIZING THE EMPLOYMENT
AND RETENTION OF WHITE & CASE LLP AS ATTORNEYS
TO THE DEBTORS EFFECTIVE AS OF THE PETITION DATE**

Upon the application, dated July 6, 2023 [D.I. 87] (the “**Application**”)² of the Debtors for entry of an order (this “**Order**”), pursuant to sections 327(a), 329, and 1107 of the Bankruptcy Code, authorizing the employment and retention of White & Case LLP (“**White & Case**”) effective as of the Petition Date as the Debtors bankruptcy counsel; and the Court having jurisdiction to consider the Application and the relief requested therein in accordance with 28 U.S.C. §§ 157 and 1334 and the *Amended Standing Order of Reference*, dated February 29, 2012 (Sleet, C.J.); and consideration of the Application and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due, sufficient, and proper notice of the Application having been provided under the circumstances and in accordance with the Bankruptcy Rules and the Local Rules, and it appearing that no other or further notice need be provided; and a hearing

¹ The Debtors and the last four digits of their respective taxpayer identification numbers are: Lordstown Motors Corp. (3239); Lordstown EV Corporation (2250); and Lordstown EV Sales LLC (9101). The Debtors’ service address is 27000 Hills Tech Ct., Farmington Hills, MI 48331.

² Capitalized terms used, but not otherwise defined, herein shall have the meanings ascribed to such terms in the Application.

having been held, if necessary, to consider the relief requested in the Application (the “**Hearing**”); and upon consideration of the Turetsky Declaration and the Leonard Declaration, and the record of the Hearing, if any, and all of the proceedings had before the Court; and the Court having found and determined that White & Case is a “disinterested person” as that term is defined under section 101(14) of the Bankruptcy Code, that White & Case’s employment is necessary and in the best interests of the Debtors, their estates, their creditors, their stakeholders, and all other parties-in-interest, and that the relief sought in the Application is in the best interests of the Debtors, their estates, their creditors, their stakeholders, and all other parties-in-interest, and that the legal and factual bases set forth in the Application establish just cause for the relief granted herein; and after due deliberation thereon and good and sufficient cause appearing therefor,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:

1. The Application is GRANTED as set forth herein. Any objections or reservations of rights filed in respect of the Application are overruled, with prejudice.
2. The Debtors are authorized, pursuant to sections 327(a), 329, and 1107 of the Bankruptcy Code, Bankruptcy Rules 2014(a) and 2016, and Local Rules 2014-1 and 2016-1, to employ and retain White & Case as bankruptcy counsel, effective as of the Petition Date, in accordance with the Application, the Engagement Agreement, the Turetsky Declaration, and this Order, to perform the services described therein.
3. In connection with the Chapter 11 Cases, White & Case shall be compensated for professional services rendered, and reimbursed for expenses incurred, in accordance with Bankruptcy Code sections 330 and 331, with the applicable provisions of the Bankruptcy Rules and the Local Rules, any other applicable procedures and orders of this Court, and the

Engagement Agreement.

4. White & Case is authorized, but not directed, to hold the remaining Retainer and to apply the Retainer against any amounts approved by the Court in connection with White & Case's fees, expenses, charges, and disbursements during the Chapter 11 Cases. In the event that the remaining Retainer exceeds the unpaid portion of White & Case's approved and unpaid postpetition fees, expenses, charges, and disbursements at the conclusion of the Chapter 11 Cases, White & Case shall remit such excess to the Debtors, except as may otherwise be agreed by White & Case and the Debtors.

5. Notwithstanding any stay that might be imposed by Rule 6004(h) of the Bankruptcy Rules, the Order shall be effective and enforceable immediately upon entry hereof.

6. The Debtors and White & Case are authorized and empowered to take all actions necessary to effectuate the relief granted pursuant to this Order in accordance with the Application.

7. This Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, or enforcement of this Order.